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11 Proposed Plaintiffs' Co-Lead Counsel

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15

16 **PAUL MEOLA**, individually, and on
17 behalf of himself and all others similarly
18 situated,

19 Plaintiff,

20 vs.

21 **AXA FINANCIAL, INC.; AXA**
ADVISORS, LLC; AXA EQUITABLE
22 **LIFE INSURANCE CO.; and DOES 1**
through 10, inclusive,

23 Defendants.
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No. C06-04291-JSW

CLASS ACTION

**STIPULATION TO
CONSOLIDATE CASES
AND FILE CONSOLIDATED
COMPLAINT**

AND ORDER THEREON

CARLTON M. LENNON, individually, and
on behalf of all other members of the general
public similarly situated, **JAMES L.**
THOMPSON, individually, and on behalf of
all other members of the general public
similarly situated,

Plaintiffs,

vs.

AXA ADVISORS, LLC; AXA
NETWORK, LLC; and DOES 1 through 20,
inclusive,

Defendants.

No. 07-01858 JSW

ANTHONY BOLEA, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

AXA ADVISORS, LLC and **AXA**
EQUITABLE LIFE INSURANCE CO.,

Defendants.

No. C07-02777 JSW

HARKANT DHRUV, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

AXA EQUITABLE LIFE INSURANCE
CO., et al.

Defendants.

No. C07-04368-JSW

1 It is stipulated by the parties that the following cases pending before this
2 court shall be consolidated:

- 3 • *Meolu v. Axa Financial, Inc., et al.*, No. C 06-04291JSW;
- 4 • *Lennon v. Axa Advisors, LLC, et al.*, No. C 07-01858 JSW;
- 5 • *Bolea v. Axa Financial, Inc., et al.*, No. C 06-04291 JSW;
- 6 • *Dhruv v. Axa Equitable Life Insurance Company, et al.*, No. C 07-04368
7 JSW.

8 Consolidation of the cases pursuant to Fed. R. Civ. Proc. 42(a) is appropriate
9 because consolidation will result in a substantial savings of the resources of the
10 court and the parties, and no party will be prejudiced by consolidation.

11 The parties have also agreed that Plaintiffs may file a Consolidated
12 Complaint which will serve as the operative Complaint. The parties have met and
13 conferred regarding this complaint and are still meeting and conferring regarding
14 whether a certain company should be named as a defendant in the complaint. The
15 parties request that Plaintiffs have through October 19, 2007 to file the
16 Consolidated Complaint.

17 The foregoing stipulations in no way prejudice or restrict Defendants from
18 raising any objections or arguments in the future, including but not limited to: 1)
19 proper identification of defendants; 2) proper identification of class members or
20 the existence of a certifiable class or subclasses as the proper mode for resolving
21 these or any other cases in this or any other forum; 3) statute of limitations and
22 issues of relation back.

23 DATED: October 5, 2007 KERR & WAGSTAFFE LLP

24
25 By: /s/ Adrian J. Sawyer
26 Adrian J. Sawyer
27 Attorneys for Defendants
28

1 DATED: October 5, 2007

SCHIFFRIN BARROWAY TOPAZ &
KESSLER, LLP

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3
4 By: /s/ Gerald D. Wells, III
Gerald D. Wells, III
Counsel for Plaintiff PAUL MEOLA

5 DATED: October 5, 2007

INITIATIVE LEGAL GROUP LLP

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8 By: /s/ Joseph Cho
Joseph Cho
Counsel for Plaintiffs CARLTON
9 LENNON and JAMES THOMPSON

10 DATED: October 5, 2007

CARLSON LYNCH

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13 By: /s/ Gary F. Lynch
Gary F. Lynch
14 Counsel for Plaintiff ANTHONY BOLEA

15 DATED: October 5, 2007

COTCHETT, PITRE & McCARTHY
JOHN M. KELSON LAW OFFICE

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17
18 By: /s/ Niall P. McCarthy
Niall P. McCarthy
19 Counsel for Plaintiff HARKANT DHRUV

20 Based on the stipulation of the parties and good cause appearing, the Court
21 hereby orders that the cases be consolidated and that Plaintiff may file a First
22 Amended Consolidated Complaint, which complaint shall be filed on or before
23 October 19, 2007.

24 SO ORDERED, this 10th day of October, 2007.

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26 
27 Hon. Jeffrey S. White
United States District Court
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